

MESSAGE NO: 6209310 MESSAGE DATE: 07/27/2016

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: 81 FR 47758 FR CITE DATE: 07/22/2016

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-552-802

EFFECTIVE DATE: 07/18/2016 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2016 TO 05/03/2016

Notice of Lifting of Suspension Date: 07/22/2016

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for certain frozen warmwater shrimp from the Socialist Republic of Vietnam for the period 02/01/2016 through 05/03/2016 (A-552-802)

1. On 07/18/2016, Commerce entered into a settlement agreement to compromise its claims for duties with respect to certain entries of subject merchandise exported by the Minh Phu Group (see below) (see 81 FR 47758, 07/22/2016).

Exporter: Collectively Minh Phu Group

Minh Phu Seafood Export Import Corporation (and affiliates Minh Qui Seafood Co., Ltd. and Minh Phat Seafood Co., Ltd.), aka

Minh Phu Seafood Corp., aka

Minh Phu Seafood Corporation, aka

Minh Phu Seafood Pte, or

Minh Qui Seafood, aka

Minh Qui Seafood Co., Ltd., aka

Minh Qui, or

Minh Phat Seafood Co., Ltd., aka

Minh Phat Seafood, aka

Minh Phat Seafood Corp., aka

Minh Phat, or

Minh Phu Hau Giang Seafood Joint Stock Company, aka

Minh Phu Hau Giang Seafood Corp., aka

Minh Phu Hau Giang Seafood Processing Co., Ltd., aka

Minh Phu Hau Giang Seafood Co., Ltd.

Case number: A-552-802-004

Note to CBP: Where "Minh" in the name "Minh Phu Seafood Corp." is misspelled as "Mihn," please consider them as the same entity.

2. In accordance with the settlement agreement discussed in paragraph 1, for all shipments of certain frozen warmwater shrimp from the Socialist Republic of Vietnam exported by the Minh Phu Group, imported by or sold to (as indicated on the commercial invoice or Customs documentation) Mseafood Corporation and entered, or withdrawn from warehouse, for consumption during the

period 02/01/2016 through 05/03/2016, liquidate the entries at the cash deposit or bonding rate in effect at the time of entry.

3. Liquidation instructions for shipments of certain frozen warmwater shrimp from the Socialist Republic of Vietnam exported by the Minh Phu Group, imported by or sold to (as indicated on the commercial invoice or Customs documentation) any firm other than Mseafood Corporation and entered, or withdrawn from warehouse, for consumption during the period 02/01/2016 through 05/03/2016, will be issued in a separate liquidation message.

4. The notice of lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the notice of the settlement agreement referenced in paragraph 1 (see 81 FR 47758, 07/22/2016). Unless instructed otherwise, for all other shipments of certain frozen warmwater shrimp from the Socialist Republic of Vietnam you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

5. There are no injunctions applicable to the entries covered by this instruction.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV:IG.)

9. There are no restrictions on the release of this information.

Alexander Amdur

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party